

REMARKS

The Office Action of July 14, 2006 has been carefully studied. The claims in the case are now 5, 7, 8, 13, 14, 16-18, and new claims 40 and 41. The restricted claims are cancelled in view of the finality of the restriction requirement, and for the record, Applicants reserve the right to file one or more divisional applications under the provisions of 35 U.S.C. 120 and 121.

Claim Rejections - 35 U.S.C. 112

For the purposes of clarification, it is seen that claim 5 now makes it clear that it is the dissolved components of *Emblica officinalis*, which constitutes the enriched aqueous extract. Furthermore, the word "insoluble" is now changed to --water-insoluble-- as suggested by the Examiner.

With respect to the term "substantially" in claim 13, it is explained in paragraph 033 of the specification. Whereas it would be awkward to include the definition of "substantially" in the claim, Applicants would be willing to do so if the Examiner insists upon same. Claim 17 is also amended so that "said solution of aqueous suspension" is now changed to --said enriched aqueous extract".

In view of the amendments, it is believed that the rejections under 35 U.S.C. 112 are now obviated.

Claim Objections

In view of the amendment to claim 17, it is now properly dependent on claim 14.

Claim Rejections - 35 U.S.C. 102

With respect to claim 5 and claims dependent thereon, it is seen that the first step requires the dispersion of a powdered extract of *Emblica officinalis* in an aqueous solution to form an aqueous suspension of *Emblica officinalis* along with water-insoluble components etc. The resultant dispersion is then separated into the water-insoluble components and at a mixed extract containing the dissolved components of *Emblica officinalis*. The step of dispersing a powdered extract of *Emblica officinalis* was set forth in original claim 6, which is now cancelled.

In both references Ranjan et al. and Ghosal U.S. 6,124,268, there is no suggestion of dispersing a powdered extract so as to form an aqueous dispersion.

In Ranjan et al., the process describes the preparation of an extract by drying a sample of leaves, twigs or fruits in an oven, or grinding material, soaking it in hot distilled water and thereafter boiling it and filtering it while hot. Thus the step of filtering involves the production of an extract in the first instance, not a subsequent process of purifying the resultant powdered extract, which is the subject of Applicants' claims.

In Ghosal et al. 6,124,268, the process is an extraction process of the plant and does not suggest the problem of the black specks much less dispersing a powdered extract to form an aqueous suspension according to amended claim 5. Whereas the process steps of filtering and spray drying in the references are relevant to obtaining the extract in the first instance, Applicants' claims are directed to a process for further purifying the resultant powdered extracts obtained by the references.

New Claims

Claims 40 and 41 are directed to the quantitative discussion set forth on lines 3 and 4 of page 21 of the application.

In view of the amendments to the claims and the above remarks, favorable reconsideration is courteously requested.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,



I. William Millen, Reg. No. 19,544
Attorney/Agent for Applicants

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1
2200 Clarendon Blvd. Suite 1400
Arlington, Virginia 22201
Telephone: (703)243-6333
Facsimile: (703) 243-6410
Attorney Docket No.: EMIC-61
Date: October 13, 2006